

Summons in a Civil Action (Rev 11/97)

# United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

PULSE ENGINEERING, INC., a  
Delaware corporation

vs

MASCON, INC., doing business as  
ATW SECURITY, a Massachusetts  
corporation

SUMMONS IN A CIVIL ACTION

Case No.

**08 CV 0595 JM AJB**

TO: (Name and Address of Defendant)

Mascon, Inc.

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and  
serve upon PLAINTIFF'S ATTORNEY

Kristopher L. Reed, Esq.  
Townsend and Townsend and Crew LLP  
1200 Seventeenth Street, Suite 2700  
Denver, CO 80202

An answer to the complaint which is herewith served upon you, within 20 days after  
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment  
by default will be taken against you for the relief demanded in the complaint.

**APR 01 2008**

W. Samuel Hamrick, Jr.

CLERK

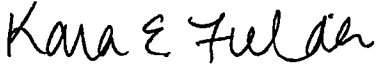
DATE

By

Deputy Clerk

Summons in a Civil Action

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| RETURN OF SERVICE   |  |  |               |
|---|--|--|---------------|
| Service of the Summons and Complaint was made by me   |  | DATE May 5, 2008   |               |
| NAME OF SERVER Kara E. Fielder<br>Townsend and Townsend and Crew LLP  |  | TITLE<br>Paralegal   |               |
| Check one box below to indicate appropriate method of service   |  |  |               |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: _____  |  |  |               |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:   |  |  |               |
| Name of person with whom the summons and complaint were left: _____   |  |  |               |
| <input type="checkbox"/> Return unexecuted: Per authorization by and agreement with Mr. Nelson Lovins, Esq., counsel for Defendant Mascon, Inc., service was effectuated by mailing a copy of the complaint and summons to Mr. Lovins at his office located at 10 Cedar St., Woburn, MA 01801. The complaint and summons were received at Mr. Lovin's office on May 6, 2008 at 9:11 AM. |  |  |               |
| <input checked="" type="checkbox"/> Other (specify):  |  |  |               |
| STATEMENT OF SERVICE FEES   |  |  |               |
| TRAVEL  |  | SERVICES \$18.69   | TOTAL \$18.69 |
| DECLARATION OF SERVER   |  |  |               |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.  |  |  |               |
| Executed on:  |  |  |               |
| Date<br>5/8/08  |  | Signature of Server<br>1200 17th Street, Suite 2700                                  |               |
|   |  | Address of Server<br>Denver, CO 80202  |               |
| NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE   |  |  |               |
| IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u>  |  |  |               |
| YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.   |  |  |               |
| JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.  |  |  |               |

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure